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## BEFORE THE ARIZONA CORPORATION COMMISSION

Arizona Corporation Commission

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MARC SPITZER, Chairman  
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SEP 22 2003

DOCKETED BY

AZ CORP COMMISSION  
DOCUMENT CONTROL

IN THE MATTER OF THE APPLICATION OF  
VOYAGER WATER COMPANY FOR AN  
EXTENSION OF THE SERVICE AREA UNDER  
ITS EXISTING CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO PROVIDE  
WATER UTILITY SERVICE.

DOCKET NO. W-02104A-01-0742

PROCEDURAL ORDER**BY THE COMMISSION:**

On January 31, 2002, the Arizona Corporation Commission ("Commission") issued Decision No. 64406, which conditionally granted to Voyager Water Company ("Voyager") an extension of its service territory under its Certificate of Convenience and Necessity ("Certificate"). Decision No. 64406 required Voyager to file, by January 31, 2003, copies of either a Certificate of Assured Water Supply ("CAWS") or a Designation of Assured Water Supply issued by the Arizona Department of Water Resources ("ADWR"), and the Approvals to Construct issued by the Arizona Department of Environmental Quality ("ADEQ") for water system improvements necessary to serve the developments in the requested extension area. Decision No. 64406 provides that if Voyager fails to timely file the required compliance documentation, the conditionally granted Certificate extension will be deemed denied without further Order of the Commission.

On November 18, 2002, Voyager requested an extension of time to November 1, 2003, to file the CAWS and ADEQ Approvals to Construct required by Decision No. 64406. The Commission's Utilities Division Staff ("Staff") had no objection to Voyager's request. By Procedural Order dated December 24, 2002, Voyager was authorized an extension of time to November 1, 2003 to make the filings.

On June 27, 2003, Voyager filed a request to modify or amend Decision No. 64406. Therein, Voyager requests modifications to Decision No. 64406 that include, but are not limited to, the elimination of a CAWS requirement and the elimination of all the time limits in Decision No. 64406

1 ("Request").

2 On August 5, 2003, by Procedural Order, Staff was ordered to file a response to Voyager's  
3 Request.

4 On August 18, 2003, Staff filed a response, stating it had to objection to Voyager's Request.

5 On September 12, 2003, Voyager and Staff filed a Stipulation for Hearing on Applicant's  
6 Request to Modify or Amend Decision No. 64406. The stipulation states that subsequent to the filing  
7 of Staff's response to the Request, Voyage have conferred, and now stipulate and agree to a hearing  
8 on the Request, at which Voyager will provide evidence substantiating the Request and  
9 demonstrating the existence of a reasonable basis for granting the requested relief.

10 Voyager and Staff's joint request for a hearing is reasonable.

11 IT IS THEREFORE ORDERED that the hearing on the above-captioned matter shall  
12 commence on **October 29, 2003 at 1:30 p.m.**, or as soon thereafter as is practical, at the  
13 Commission's offices, 1200 West Washington Street, Phoenix, Arizona 85007.

14 DATED this 22<sup>d</sup> day of September, 2003.

15  
16  
17   
18 TEENA WOLFE  
ADMINISTRATIVE LAW JUDGE

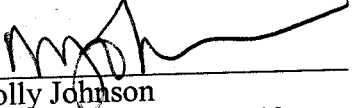
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Secretary to Teena Wolfe